

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

JELA D. JONES,

Civil No. 06-2317 (JRT/SRN)

Petitioner,

v.

ORDER

TERRY CARLSON,

Respondent.

Jela D. Jones, #207024, MCF, 1000 Lakeshore Drive, Moose Lake, MN 55767, petitioner *pro se*.

Kimberly R. Parker, **OFFICE OF THE MINNESOTA ATTORNEY GENERAL**, 445 Minnesota Street, Suite 1800, St Paul, MN 55101, for respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson. No objections have been filed to that Report and Recommendation in the time period permitted. Accordingly, based on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Respondent's Motion to Dismiss Petition for Writ of Habeas Corpus [Docket No. 14] is **DENIED**;

2. Petitioner's Motion to Delete Ground One from the Petition [Docket No. 18] is **GRANTED**; and

3. Following the issuance of the Magistrate Judge's Report and Recommendation,

petitioner filed an amended petition, [Docket No. 23], on July 11, 2007. As such, the Court finds that petitioner has satisfied the 30-day filing deadline as recommended by the Magistrate Judge and set forth in this Order.

DATED: August 3, 2007
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge